Docket No.: 00-4013 (PATENT)

REMARKS

In the Office Action: (1) claims 9, 14, 19 and 20 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,708,273 to Ober et al. (hereinafter "Ober"); (2) claims 1, 2, 4-8 and 21-23 were indicated as allowable; and (3) claims 10-12 and 15-17 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all limitations of the base claims and any intervening claims.

Applicant has amended claims 10, 15, 16 and 20. Claims 9, 14 and 19 have been cancelled. No new matter has been introduced. After entry of Applicant's amendments, claims 1-2, 4-8, 10-12, 15-17, and 20-23 will be pending.

In the Office Action, the Examiner has indicated that claims 10-12 and 15-17 would be allowable if rewritten in independent form including all limitations of the base claims and any intervening claims. Applicant has amended claims 10 and 15 to include all of the limitations of their respective base independent claims 9 and 14. Claims 11 and 12 depend from claim 10, and claims 16 and 17 depend from claim 15. Applicant therefore respectfully submits that claims 10-12 and 15-17 are now in condition for allowance.

In the Office Action, the Examiner has rejected claims 9, 14, 19 and 20 under 35 U.S.C. §102(e) as anticipated by Ober. In the interest of having a patent issue on the technology disclosed by the present application as soon as possible, Applicant has cancelled claims 9, 14 and 19, and amended claim 20 to recite the limitations of claim10 (which the Examiner has indicated would be allowable). In making this amendment, Applicant does not concede that the description provided by Ober renders any of claims 9, 14, 19 and 20 unpatentable, and does not waive its right to argue against the applicability of Ober to the subject matter recited in claims 9, 14, 19 and 20 in a future patent application filing that claims the benefit of the filing date of the present application (e.g., a continuation application). With the cancellation of claims 9, 14 and 19 and the amendment of claim 20, Applicant believes the rejections to be overcome, and respectfully requests that the rejections be withdrawn.

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CONCLUSION

All objections and rejections have been addressed. In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. It is believed that any fees associated with the filing of this paper are identified in an accompanying transmittal. However, if any additional fees are required, they may be charged to Deposit Account 07-2347.

By

Respectfully submitted.

Dated: April 5, 2005

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